

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Suffolk County Water Authority

Plaintiff

v.

The Dow Chemical Company, et al. (see Rider)

Defendant, Third-party plaintiff

v.

120Marcus Realty LLC, et al. (see Rider)

Third-party defendant

Civil Action No. 2:17-cv-06980

SUMMONS ON A THIRD-PARTY COMPLAINT

To: *(Third-party defendant's name and address)*120Marcus Realty LLC
120 Marcus Blvd.
Deer Park, NY 11729

(and additional names and addresses in Rider)

A lawsuit has been filed against defendant (Defendant List in Rider), who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff Suffolk County Water Authority.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in **Fed. R. Civ. P. 12** (a)(2) or (3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Phillips Lytle LLP c/o Joel Blanchet, Attorneys for Defendant/Third-Party Plaintiff The Dow Chemical Company
One Canalside, 125 Main Street
Buffalo, NY 14203, and (see Rider)

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

Sher Edling LLP c/o Matthew K. Edling, Attorneys for Plaintiff Suffolk County Water Authority
100 Montgomery St., Suite 1410, San Francisco, CA 94104, and (see Rider)

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may – but are not required to – respond to it.

Date: 9/1/2021



CLERK OF COURT

Douglas C. Palmer by: Roseann Guzzi

Signature of Clerk or Deputy Clerk

Civil Action No. 2:17-cv-06980

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____
 _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Print

Save As...

Add Attachment

Reset

SUMMONS RIDER

CAPTION:

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SUFFOLK COUNTY WATER AUTHORITY,

Plaintiff,

v.

THE DOW CHEMICAL COMPANY, FERRO
CORPORATION, VULCAN MATERIALS
COMPANY, PROCTER & GAMBLE COMPANY,
SHELL OIL COMPANY, individually and doing
business as SHELL CHEMICAL LP,

Defendants.

Case No.: 2:17-cv-06980-NG-RLM

THE DOW CHEMICAL COMPANY, FERRO
CORPORATION, and VULCAN MATERIALS
COMPANY,

Third-Party Plaintiffs,

v.

120MARCUS REALTY LLC, 5 CUBA HILL
OWNER LLC, 550 LIBERTY PLAZA LLC,
AIRPORT PLAZA, LLC, ANTHONY ANTONIOU,
ANWAR CHITAYAT AS TRUSTEE OF THE
ANWAR CHITAYAT ENVIRONMENTAL
TRUST, CRESCENT GROUP REALTY INC.,
EMPIRE PROPERTIES LI LLC, FED 717-725
LLC, FGG REALTY ASSOCIATES, LLC, GSM
717-725 LLC, ICA 717-725 LLC, MAKO
PROPERTIES, LLC, OMEGA MELVILLE LLC,
ONE ADAMS OWNER LLC, SAF 717-725 LLC,
STEEL FOREST, LLC, THE SUFFOLK COUNTY
LANDBANK CORPORATION, TOWN OF
BABYLON, and TOWN OF ISLIP,

Third-Party Defendants.

THIRD-PARTY DEFENDANTS' NAMES AND ADDRESSES (CONTINUED):

5 Cuba Hill Owner LLC
1250 Waters Place, PH1
Bronx, NY 10461,

550 Liberty Plaza LLC
45 Cuttermill Rd, Ste 1
Great Neck, NY 11021,

Airport Plaza, LLC
28 Liberty St.
New York, NY 10005,

Anthony Antoniou
25 Berry St.
Lindenhurst, NY 11757,

Anwar Chitayat as Trustee of the Anwar Chitayat Environmental Trust
5927 Vintage Oaks Circle
Delray Beach, FL 33484,

Crescent Group Realty Inc.
71 N 1st St.
Deer Park, NY 11729,

Empire Properties LI LLC
95 Lane St.
Lindenhurst, NY 11757,

FED 717-725 LLC
45 Broadway, 25th Floor
New York, NY 10006,

FGG Realty Associates, LLC
82 Milbar Blvd.
Farmingdale, NY 11735,

GSM 717-725 LLC
45 Broadway, 25th Floor,
New York, NY 10006,

ICA 717-725 LLC
45 Broadway, 25th Floor
New York, NY 10006,

Mako Properties, LLC
931B Conklin St.
Farmingdale, NY 11735,

Omega Melville LLC
PO Box 500
Hicksville, NY 11802,

One Adams Owner LLC
6851 Jericho Turnpike, Ste 200
Syosset, NY 11791,

SAF 717-725 LLC
45 Broadway, 25th Floor
New York, NY 10006,

Steel Forest, LLC
999 S Oyster Bay Rd, Ste 200,
Bethpage, NY 11714,

The Suffolk County Landbank Corporation
PO Box 6100, 100 Veterans Memorial Hwy
Hauppauge, NY 11788,

Town of Babylon
Babylon Town Hall,
200 E Sunrise Highway
Lindenhurst, NY 11757, and

Town of Islip
655 Main St.
Islip, NY 11751

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